

# Kansas

## Adoption Assistance- Who Do You Contact?

### State Contact information

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<p style="text-align: center;"><b>Post Adoption Services Contact</b></p> <p>NAME:</p> <p>ADDRESS:</p> <p>E-MAIL:</p> <p>TELEPHONE:</p>	<p style="text-align: center;"><b>Medical Assistance Specialist</b></p> <p>NAME: Sarah Strick</p> <p>ADDRESS: Department of Social and Rehabilitative Services 915 SW Harrison Docking State Office Bldg. 5<sup>th</sup> Floor S. Topeka, Kansas 66612</p> <p>E-MAIL: <a href="mailto:sss@srskansas.org">sss@srskansas.org</a></p> <p>TELEPHONE: 785.368.8171</p>

## **Adoption Assistance- Who is Eligible?**

**A good place to start.** Public adoption in Kansas is administered by the Department of Social and Rehabilitative Services (DSRS). DSRS and adoption link(s): [www.srskansas.org/](http://www.srskansas.org/), [www.srskansas.org/services/adoption.htm](http://www.srskansas.org/services/adoption.htm), and [www.cominghomekansas.org/home.html](http://www.cominghomekansas.org/home.html).

### **1. What specific factors or conditions does your state consider to determine that a child cannot be placed with adoptive parents without providing financial assistance? (*"What is your state definition of special needs?"*)**

A child with special needs is defined as a child that has at least one of the following needs or circumstances that may be a barrier to placement or adoption without financial assistance:

- Twelve years of age or older (if age is the only special needs factor)
- Member of a sibling group of two or more children placed for adoption together, where one of the siblings has one of the special needs factors or conditions listed here
- Member of a sibling group of three or more children placed for adoption together (no other factors are necessary)
- Medically diagnosed physical disability that requires professional treatment, impairs normal functioning, requires assistance in self-care or the purchase of special equipment. The disability is to be diagnosed by a physician, hospital, clinic or other qualified medical practitioner
- Significant developmental disabilities and/or delays with demonstrated need for intensive adult supervision beyond chronological age, determined through an evaluation by a licensed psychologist, diagnostic center, special education services, or other qualified professional individual
- Diagnosed as having a behavioral or emotional disability (psychiatric condition) that impairs the child's intellectual, behavioral or social functioning. A physician, psychologist or clinical social worker must establish diagnosis and prognosis.
- Factors in the child's genetic, health, and/or social background exist that are indicators that the child may develop physical, emotional or developmental problems at a later date ("guarded prognosis")

Note: Children's eligibility for federal adoption assistance (Title IV-E) must be established during the foster care episode that resulted in the adoptive placements or established at the initial removal from the home.

### **2. What are the eligibility criteria for your state-funded adoption assistance program?**

In order to be eligible for state-funded adoption assistance a child must be a special needs child as defined above and legally free for adoption. Eligible children in custody of SRS or a licensed nonprofit child placing agency may receive one or more of the following types of adoption assistance: medical assistance, Title XIX (Medicaid), monthly adoption assistance payment, special adoption assistance payment, and non-recurring adoption expenses. Children placed by the courts, adoption brokers, parents, and other individuals are not eligible for adoption assistance, even if they were previously in state custody. These children may be eligible for non-recurring adoption expenses. The following criteria must be met when determining a child's eligibility for state-funded adoption assistance:

- 1) It must be determined that the child cannot or should not be returned to the home of the parents
- 2) The child must have a special need as specified above in Question #1
- 3) It must be established that reasonable efforts were made to place the child without assistance

3. What is the maximum amount a family may receive in non-recurring adoption expenses from your state? Adoptive parents can receive reimbursement of certain approved, "one-time" adoption expenses incurred in the process of finalizing a special needs adoption.

\$2,000 per child

4. Does your state enter into deferred adoption assistance agreements? In some states, adoptive parents can enter into an agreement in which they choose to defer the receipt of a Medicaid card, the monthly monetary payment, or both and can elect to receive the Medicaid card and/or monetary payment at another time.

Kansas offers deferred adoption assistance. If a child has been determined to have a "Guarded Prognosis" and may need assistance at a later date, eligibility for assistance may be determined with a zero payment and a medical card need not be issued unless a problem arises later. Normally children in the "Guarded Prognosis" category are not currently being treated for a specific disability or condition but have factors in their genetic, health, and/or social background that indicate the child may develop physical, emotional or developmental problems at a later date.

5. When may adoption assistance payments and benefits begin in your state?

Adoption assistance payments and benefits may begin in Kansas at adoption placement, following the signing of the adoption placement agreement.

6. How are changes made to the adoption assistance agreement in your state?

- a. When can a parent request a change in the adoption assistance agreement?
- b. How does a parent request a change in the adoption assistance agreement?
- c. What if a parent does not receive the change they request in the adoption assistance agreement?

Both the adoptive parents and the regional agency worker may request to renegotiate terms of the adoption assistance agreement. Kansas Social and Rehabilitative Services (SRS) or the parents may request a renegotiation any time significant changes in the circumstances of the child or family are reported. Adoptive parents may request an increase in the adoption assistance payment amount at any time to correspond to changes in the needs of the child, or when the needs of the child were underestimated during the initial negotiations. Parents must provide the adoption assistance worker with documentation substantiating the changes in the needs of the child. The terms of the agreement cannot be terminated, suspended or changed without the concurrence of the adoptive family and SRS. A change in the terms of the agreement requires a new agreement be signed.

## **Adoption Assistance- Post Adoption Services**

7. What types of post adoption services are available in your state and how do I find out more about them?

Post adoption services in Kansas are for children previously in Kansas state custody, administered by DSRS and contracted through outside agencies. Services include the following examples:

1. Advocacy
2. Case management
4. Parenting education
5. Family preservation

### 3. Support groups

### 6. Day care

Aftercare services are provided for state custody children for eighteen months after adoption finalization and are available on an on-going basis, and are not limited to crisis situations. After the eighteen-month period is over, families are directed to the local social service office for any needed services. All families can access services on an as-needed basis in their home communities via the local area social service office. County SRS offices link: [www.srskansas.org/locations.htm](http://www.srskansas.org/locations.htm).

Note: Not all services may be available in all cases. Contact your adoption assistance worker or regional SRS office for information regarding process, eligibility, availability, and duration of services.

## **Adoption Assistance- Medical assistance**

### **8. What mental health services are provided by your state?**

Kansas public mental health services are administered through the Department of Social and Rehabilitative Services (SRS) and include the following examples: outpatient clinical services, 24-hour emergency services, consultation and education, screening, aftercare, case management, prescription drugs, medication management, residential (Level V and VI), in-home family treatment. DSRS Children's Mental Health link: [www.srskansas.org/hcp/mhsatr/MHCMH.htm](http://www.srskansas.org/hcp/mhsatr/MHCMH.htm) and DSRS Access Points by County link: [www.srskansas.org/locations.htm](http://www.srskansas.org/locations.htm).

Note: Not all services may be available in all cases. Contact your adoption assistance worker or medical assistance contact for information regarding process, eligibility, availability, and duration of services.

### **9. Does your state provide additional finances or services for medical or therapeutic needs not covered under your state medical plan to children receiving adoption assistance?**

Kansas offers additional payments known as *Special Service Payments*. Payments are usually offered on a one-time-only basis and/or for time-limited services. One-time-only lump sum payments may be approved for unmet needs and are offered and assessed on a case-by-case basis. These payments are state-funded and may be used to obtain services and items not covered by Medicaid. Services or items must be identified in the adoption assistance agreement to be eligible for Special Service Payment.

Note: Not all services may be available in all cases. Contact your adoption assistance worker for information regarding process, eligibility, availability, and duration of services.

## **Adoption Assistance- Fair Hearings**

### **10. What is your state's process for applying for a fair hearing? A fair hearing is a legal, administrative procedure that provides a forum to address disagreements with agency decisions.**

Adoptive parents must submit a written, signed, fair hearing request to the local SRS office or the Office of Administrative Hearing within thirty days of the date of the agency's notice of action affecting services. Such a request may relate to an agency action or a failure to act with reasonable promptness on a social service case. Examples include undue delay in reaching a decision on eligibility or making a payment, refusal to consider a request for payment, undue delay in adjustment of payment, and rejection or termination of services. An attorney is not required. SRS local staff prepares a response to the request and

SRS management staff may review the decision to determine whether proper procedures were followed. A fair hearing is held, sometimes by teleconference, and fair hearing decision is handed down. Adoptive parents can appeal the decision or final action of any agent or employee of the Department of Social and Rehabilitation Services.

Send requests for fair hearing to the following address:

Office of Administrative Hearings  
1020 S Kansas Avenue  
Topeka, Kansas 66612-1311.

A fair hearing request form can be accessed at <http://da.state.ks.us/hearings/request.htm>. The fair hearing process and the laws outlining the process can be found at <http://da.state.ks.us/hearings/TheProcess.htm>.

## **Adoption Assistance- Web/Internet Information**

### **11. What is your state Web address for general adoption information?**

Kansas's general adoption link: [www.srskansas.org/CFS/cfp\\_web/programs.htm](http://www.srskansas.org/CFS/cfp_web/programs.htm), click on "Adoption Services".

### **12. What is your state Web address for adoption assistance information?**

Kansas's adoption assistance link: [www.srskansas.org/CFS/cfp\\_web/programs.htm](http://www.srskansas.org/CFS/cfp_web/programs.htm), click on "Adoption Subsidy".

### **13. What is your state Web address for state-specific medical assistance information for children?**

Kansas's state-specific medical assistance link: [www.srskansas.org/services/HCP\\_index.htm](http://www.srskansas.org/services/HCP_index.htm).